IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 11130 of 1995

Between:

Vesarapu Krishna , S/o. Narayana,
R/o. Maruvada (V), Bondapalli (M),
Vizianagaram Dist.

..... PETITIONER

AND

1 The Joint Collector,
Vizianagaram Dist.
2 The Mandal Revenue Officer,
Bondapalli (M), Vizianagaram Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ ,order or direction more particularly one in the nature of Writ of certiorari calling for the records in Rc.No.1623/94-B6 of the 1st respondent's office and to set aside the orders dt.26.5.95 in cancelling the House site patta of the petitioner.

Counsel for the Petitioner: Mr. Venkateswara Rao Gudapati

Counsel for the Respondents: G.P.for Revenue (not present)

The Court made the following O R D E R :

Heard learned counsel for the petitioner.

Nobody is appearing for the respondents. Counter has not been filed. The grievance of the petitioner is that although he had replied to the show cause notice issued intimating as to why the house site patta granted to him in Maruvada village, be not cancelled. But the Joint Collector, Vizianagaram-respondent No.1 passed an order canceling the patta without taking into consideration the reply given to him to the show cause notice.

Since no counter has been filed and the petitioner contended in his affidavit that he had sent the reply to show cause notice by registered post, therefore, I allow this writ petition setting aside the impugned order, directing the respondents to pass fresh orders after taking into consideration the reply given by the petitioner to the show cause notice, if any. No order as to costs.

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(Bilal Nazki,J)

Date:3rd March, 2005

vrn

The Rule nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on Thursday, the third day of March, Two Thousand and Five.

To

1 The Joint Collector,
Vizianagaram Dist.
2 The Mandal Revenue Officer,
Bondapalli (M), Vizianagaram Dist.

3 Two CCs to the Government Pleader for Revenue, High Court

of A.P., Hyderabad. (O.U.T.)

4 One CC to MR.VENKATESWARA RAO GUDAPATI

5 Two CD copies.